

Gabrielle Collier

From: David Parker [dp@appeal.se]
Sent: Friday, October 12, 2001 7:22 AM
To: Mike Donohue; gabriellec@seedlaw.com
Subject: Re: [Fwd: FW: KatieSoft]

Mike,

Sorry for taking so long to produce so little in the way of information.

I don't have any more data today than some weeks ago. The 2Ce folks have been unresponsive. I can only guess why, but giving the increasingly severe financing environments, I would presume that they are struggling for their own survival.

Absent some positive information, which is unexpected at this point, the I don't no of any alternative to abandonment of the claim.

Is the defense of the IP an any conceivable value to your firm? I would presume not, but outside the box thinking sometimes is constructive.

I am flat out today with a number of business meetings and conference calls. I will have time next week to discuss options, if any, that we may have.

My best voicemail is 650-375-1124.

Regards,

/dp

Mike Donohue wrote:

Hi Dave --

I have not received any payment or instructions from you in the Katiesoft patent matter. When I drafted the previous amendment without receiving any advance fee deposit, you indicated that you would work to complete the sale of the company and pay the overdue A/R. However, your email of August 25, 2001 indicates that you have not moved forward with the sale of the company, but were awaiting news on the patent prosecution. This is contrary to our arrangement.

The total A/R is now over \$51,000. We are unable to continue prosecution of the case without receiving advance fee deposits to cover the additional attorney fees. Accordingly, please forward an advance fee deposit in the amount of \$5,000 so we may continue to prosecute the application.

Please note that a response is due in the Patent Office by November 6, 2001. This time may be extended up to three more months with the payment of additional governmental fees. Please note that the application will be abandoned if we do not respond by February 6, 2002.

We ask that you provide us with the requested payment and instructions no later than October 30, 2001 to permit sufficient time to prepare and file a response. If you delay beyond that point, it will be necessary to

10/12/01

increase the advance fee deposit to cover the additional out of pocket expenses for the extension fees.

Mike Donohue
Seed Intellectual Property Law Group PLLC
701 Fifth Avenue, Suite 6300
Seattle, WA 98104
Tel. (206) 622-4900
Fax. (206) 682-6031
E-mail miked@seedlaw.com

-----Original Message-----

From: Mike Donohue
Sent: Friday, August 31, 2001 7:17 AM
To: 'Dave Parker'
Cc: Gabrielle Collier
Subject: RE: Re: [Fwd: FW: KatieSoft]

The Examiner issued a second (non-final) Office Action. Claims 1-12 and 14-30 are rejected in light of newly cited references. The Examiner indicated that claims 13 and 31-35 would be allowable in independent form. We have two options at this point. One is to review the Office Action and cited references in detail and prepare a response. I have not reviewed the references and thus cannot offer any opinion as the relevance of the references. You should expect a detailed review of the references to cost approximately \$1500. An amendment/response may cost an additional \$1500.

The second alternative is to amend the claims to gain allowance of claims 13 and 31-35 and cancel the rejected claims. This would allow you to get a patent issued. A Continuation application could be filed to go after broader claims. You should expect to pay approximately \$1500 for such an amendment. If you elect this route, we would expect a Notice of Allowance from the Patent Office in the near future. This will require the submission of formal drawings and the payment of the issue fee. I can get a more accurate estimate of the cost for the formal drawings, but you can expect to pay approximately \$1000. The issue fee is approximately \$700.

Please note that the current balance on this account is more than \$50,000. Whichever strategy you elect, we request the fees and costs in advance so that Katiesoft does not fall further behind.

Also please note that the response to the Office Action should be filed by November 6, 2001. However, this time can be extended up to three months with the payment of additional government fees.

Please let me have your instructions well in advance of the due date.

Mike Donohue
Seed Intellectual Property Law Group PLLC
701 Fifth Avenue, Suite 6300
Seattle, WA 98104
Tel. (206) 622-4900
Fax. (206) 682-6031
E-mail miked@seedlaw.com

-----Original Message-----

From: Dave Parker [<mailto:dp@appeal.se>]
Sent: Saturday, August 25, 2001 2:01 AM
To: miked@seedlaw.com

10/12/01

Subject: Fwd: Re: [Fwd: FW: KatieSoft]

----- Forwarded message from Dave Parker <dp@appeal.se> -----

Date: Sat, 25 Aug 2001 11:00:25 +0200 (CEST)

From: Dave Parker <dp@appeal.se>

Reply-To: Dave Parker <dp@appeal.se>

Subject: Re: [Fwd: FW: KatieSoft]

To: caryl parker <caryl@earthlink.net>

What claims are rejected?

What claims are allowable? But in another form, and what does that really mean anyway?

I've been waiting for the next shoe to drop regarding the patent status, then I'm ready to call the appropriate parties.

Please educate me on the material status, and I will get some things going.

Regards,

/dp

Quoting caryl parker <caryl@earthlink.net>:

>

>

David D. Parker
CEO Appeal
<mailto:dp@appeal.se>
cell:650-868-5857
pager:800-313-3492

----- End forwarded message -----

David D. Parker
CEO Appeal
<mailto:dp@appeal.se>
cell:650-868-5857
pager:800-313-3492

This email and any attachment contain information which is private and confidential and is intended for the addressee only. If you are not an addressee, you are not authorized to read, copy or use this email or any attachment. If you have received this email in error, please destroy it and notify the sender by return email.